

ASSEMBLY BILL

No. 2757

Introduced by Assembly Member Bradford

February 19, 2010

An act to amend Section 125325 of the Health and Safety Code, relating to oocyte donation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2757, as introduced, Bradford. Oocyte donation: advertisement.

Existing law requires specified notice to be given when posting an advertisement seeking oocyte donation associated with the delivery of fertility treatment that includes assisted oocyte production and a financial payment or compensation of any kind.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 125325 of the Health and Safety Code
- 2 is amended to read:
- 3 125325. (a) The person or entity posting an advertisement
- 4 seeking oocyte donation associated with the delivery of fertility
- 5 treatment that includes assisted oocyte production and a financial
- 6 payment or compensation of any kind, shall include the following
- 7 notice in a clear and conspicuous manner:
- 8

1 “Egg donation involves a screening process. Not all potential
2 egg donors are selected. Not all selected egg donors receive the
3 monetary amounts or compensation advertised. As with any
4 medical procedure, there may be risks associated with human egg
5 donation. Before an egg donor agrees to begin the egg donation
6 process, and signs a legally binding contract, she is required to
7 receive specific information on the known risks of egg donation.
8 Consultation with your doctor prior to entering into a donor
9 contract is advised.”

10
11 (b) A summary pertaining to oocyte donation procedures; shall
12 be provided, as required pursuant to Section 125335, to all potential
13 egg donors before signing a legally binding contract to become an
14 egg donor; or beginning ~~any~~ egg donation procedures, as part of
15 compliance with the informed consent requirements.

16 (c) Persons or entities that certify compliance with the American
17 Society for Reproductive Medicine (ASRM) guidelines by
18 registering with ASRM are exempt from the notice requirements
19 set forth in subdivision (a). Use of the exemption when the
20 guidelines are violated shall constitute false advertising.

21 (d) Donors recruited through the advertisement shall undergo
22 the same disclosure, counseling, and informed consent process, as
23 required pursuant to Section 125335, as donors recruited by those
24 exempt from subdivision (a).